

REMARKS

We have carefully considered the Office Action dated January 26, 2005, in which all the claims are rejected under Section 102 as anticipated by United States Patent 5,796,776 to Lomp et al. We thank the Examiner for a telephone conference in which the independent claims were discussed. In response, we have amended independent claims 1 and 23 to more particularly point out that the randomizer sequences generated by the system and method are non-repeating. We have also amended claim 2 to correct a typographical error.

As discussed in the current application, e.g., page 1, line 23 – page 2, line 3; page 2, line 27- 30, the current system produces a non-repeating sequence over $GF(2^M)$ that is sufficiently long that the sequence is used only once to encode a $GF(2^M)$ codeword. With known prior systems, the generated randomizing sequence is not sufficiently long, and the sequence must be used more than once when encoding a $GF(2^M)$ codeword, thus adding repeatability into the encoding process.

As discussed also in our prior response, the Lomp system produces spreading codes and despreading codes for use in CDMA modems. As is well known, the codes are designed to repeat sufficiently often within a given transmission to allow a receiving modem to synchronize to the code in order to reproduce the data that is modulated on the signal. Specifically, the Lomp system produces a spreading code that includes two sub-epochs that are used for synchronization (Col. 9, lines 53 et seq.).

Further, the Lomp system generates the spreading code using an irreducible polynomial of degree 36 and a non-linear 128 bit sequence (Col. 9, lines 1 et seq.). In contrast, the current system generates the non-repeating randomizer sequence using a primitive element of $GF(2^M)$, as set forth in independent claims 1 and 23. There is no showing, teaching or suggestion in Lomp to use a primitive element of $GF(2^M)$ to generate a non-repeating randomizer sequence over $GF(2^M)$, and thus, Lomp does not anticipate or make obvious the current invention as set forth in independent claims 1 and 23, as amended, and the claims that depend therefrom.

In light of the above, we request that the Examiner enter the amendments and reconsider the rejection of claims 1-36, and issue a Notice of Allowance for all pending claims. Please charge any fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



Patricia A. Sheehan
Reg. No. 32,301
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500